IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8451 OF 2006

Hotel Maharaja Bar and Restaurant ..Petitioner

Vs.

State of Maharashtra and Ors. ..Respondents

Mr.S.V.Sadavarte i/b Mr.P.C.Kansara for the petitioenr

Mr.S.S.Bhende, A.G.P. for the state

CORAM : A.P.DESHPANDE, J

DATED : 21ST DECEMBER, 2006

P.C.:

1. Leave to amend.

2. Only the amended prayer is pressed in service which is in a nature of seeking a direction against the State Government to decide the appeal which is pending on the file of the concerned Minister.

3. The learned counsel for the petitioner submits that the appeal is filed on 31.7.06. A

copy of which is annexed at Exhibit D and alongwith the appeal, the stay application is also moved. The grievance is that neither the stay application nor the appeal is heard and thereby the petition is made to suffer .

4. In this fact situation, the learned counsel submits that direction to be issued to the respondent to decide the appeal itself within a period of 4 weeks after granting an opportunity of hearing to the petitioner.

5. The learned A.G.P. on the other hand states that no time bound order be made for deciding the appeal. In the present fact situation, I deem it fit and appropriate to direct the respondent no.1 to decide the appeal filed by the petitioner as expeditiously as possible and at any rate within a period of 8 weeks from today. All the grounds raised in this petition are left open to be agitated before the state government.

6. Rule made absolute in above terms.

(SHRI A.P.DESHPANDE, J)